



February 16, 2016

Brian Spahn, Esquire  
Godfrey Kahn  
One East Main Street  
Suite 500  
Madison, WI 53701-2719

Re: Subpoena On Charles River Associates/ FTC v Staples and Office Depot

I am writing as the General Counsel for CRA International, Inc. ("CRA") in response to your subpoena dated February 3, 2016, which was served on February 4, 2016. Your subpoena calls for the production of "documents" which is broad and all encompassing. Below I set forth CRA's written objections to the request for documents for purposes of Federal Rule of Civil Procedure 45(c)(2)(B) for the following reasons:

1. The subpoena is unduly burdensome and oppressive until Rule 45(c)(1) in that the time frame for the scope of production is significant.
2. The subpoena is unduly burdensome and oppressive under Rule 45(c)(1) because it purports to seek the production of documents in less than the 30-day period for parties under Federal Rule of Civil Procedure 34(b)(2)(A). Non-parties are entitled to more, not less, protection and consideration than parties.
3. The subpoena is overbroad, unduly burdensome and oppressive to the extent that it required the production of documents and redundant discovery from a non-party which should be readily obtainable from the parties or from sources other than CRA more conveniently and at less expense.
4. The subpoena is unduly burdensome and oppressive in that it required production of electronically stored information within an unreasonable period in a manner and form that will impose unreasonable costs objectionable burdens upon a non-party under Rule 45(c)(2)(B).
5. The subpoena is unduly burdensome and oppressive in that it requires the production of electronic information that is not reasonably accessible under Rule 45(d)(1)(D) and will create undue burden or cost.
6. Upon information and belief, the subpoena seeks discovery of materials in violation of the discovery deadline pertaining to fact witness discovery in the above referenced matter.

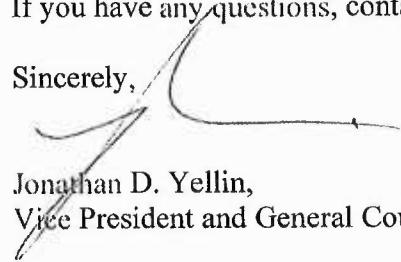
Charles River Associates

Date February 16, 2016

Accordingly, no documents will be produced unless each of these objections is resolved to our satisfaction before then. CRA reserves all of its rights.

If you have any questions, contact me at 617-425-3198, or email at [jyellin@crai.com](mailto:jyellin@crai.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan D. Yellin".

Jonathan D. Yellin,  
Vice President and General Counsel